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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

ATTY.'S DOCKET: OKAMURA=2B

In re Application of:)	Art Unit: 1646
)	
OKAMURA et al.)	Examiner: D. Jiang
)	
Appln. No.: 09/050,249)	Washington, D.C.
)	
Filing Date: March 30, 1998)	Confirmation No. 6601
)	
For: IFN- γ PRODUCTION INDUCING)	December 18, 2003
PROTEIN...)	
)	BY TELEFACSIMILE

COMMUNICATION

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

It appears that the amendment after final rejection filed by handcarry on November 3, 2003 has been misplaced or lost by the PTO. This will certify that the copy of the amendment after final rejection of November 3, 2003, re-filed by fax herewith, is a duplicate copy of the amendment after final rejection originally filed on November 3, 2003. A postcard receipt date-stamped by the PTO is also faxed herewith to show receipt of the amendment after final rejection filed November 3, 2003, by the PTO. In the event that the three month extension of

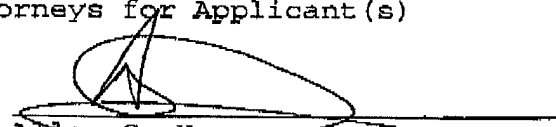
Appln. No. 09/050,249
Amdt. dated December 18, 2003

time and extra claim fee paid for by the credit card payment form attached to the amendment after final rejection filed November 3, 2003, has been lost and not charged, the PTO is authorized to instead charge Deposit account no. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By


Allen C. Yun
Registration No. 37,971

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at (703)872-9307 on the date shown below.

Pamela Parker
Name


Signature

December 18, 2003
Date

ACY:pp
624 Ninth Street, N.W.
Washington, D.C. 20001
Telephone No.: (202) 628-5197
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APPLICATION/PATENT NO: D91050,249
DOCKET NO: OKAMURA-ZB

CONF. NO.: 6601
CLIENT CODE: SUMMA

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

- ☒ FEES \$ 968.00
☒ PTO FORM 2038 ☐ CH. #
☒ EXTENSION OF TIME (3 MONTHS)
☐ TRANSMITTAL LETTER
☐ MISSING PARTS RESPONSE WITH DECL
☒ AMENDMENT RESPONSE (circle one) Final
☐ PRELIMINARY ☐ SUPPLEMENTAL
☐ APPLICATION DATA SHEET
☐ RESTRICTION/ELECTION REPLY
☐ SEQUENCE LISTING ☐ WITH DISK
☐ RCE / CPA TRANSMITTAL (circle one)
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF (TRIPPLICATE)
☐ REPLY BRIEF (TRIPPLICATE)
☐ OTHER

03 NOV -3 AM 9:05

- ☐ ASSIGNMENT
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM SB08A & PATENTS/PUBS
☐ PRIORITY DOCUMENT(S) NO.
☐ DECLARATION UNDER §
☐ LETTER TO DRAFTSMAN
☐ SHEETS OF DRAWINGS
☐ ISSUE FEE TRANSMITTAL FORM
☐ MAINTENANCE FEE LETTER

B&N-1

AFTER FINAL PROCEDURE - PLEASE EXPEDITE HANDLING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: OKAMURA et al.

Application No.: 09/050,249

Conf. No. 6601

Filed: March 30, 1998

For: IFN-IFN- PRODUCTION INDUCING PROTEIN...

Art Unit: 1646

Examiner: D. Jang

Washington, D.C.

Atty.'s Docket:

Date: November 3, 2003

THE HONORABLE COMMISSIONER FOR PATENTS
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop:
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

BY HAND-CARRYING

Sir:

Transmitted herewith is a ☒ Amendment ☐ _____

in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☐ No additional fee is required.☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 108	MINUS	** 107	1
INDEP.	* 4	MINUS	*** 4	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 8	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$ 18.00
x 85	\$
+ 290	\$
TOTAL	
	\$ 18.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:Small Entity
Response Filed Within

☐ First - \$ 55.00
☐ Second - \$ 210.00
☐ Third - \$ 475.00
☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity
Response Filed Within

☐ First - \$ 110.00
☐ Second - \$ 420.00
☒ Third - \$ 850.00
☐ Fourth - \$ 1480.00

Month After Time Period Set

☐ Less fees (\$ _____) already paid for _____ month(s) extension of time on _____☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ _____☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 988.00.☐ A check in the amount of \$ _____ is attached (check no. _____).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
 Allen C. Yuen
 Registration No.: 37,971

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